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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Twenty-fourth session
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Item 8 of the provisional agenda*
Ways and means of expediting the work of the Committee

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Report by the Secretariat

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I. Introduction

1. The present report transmits to the Committee on the Elimination of Discrimination against Women at its twenty-fourth session the proposed draft rules of procedure for the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women for review and adoption in accordance with the decision of the Expert Meeting on the Proposed Draft Rules, held from 27 to 30 November 2000 in Berlin. The proposed draft rules, prepared by Silvia Cartwright, a member of the Committee, were discussed and finalized by members of the Committee, as well as incoming members elected at the eleventh meeting of States parties to the Convention, held on 31 August 2000. Elizabeth Evatt and Eckhart Klein, members of the Human Rights Committee, participated in the meeting as resource persons. The Office of the High Commissioner for Human Rights was also represented. The proposed draft rules of procedure for the Optional Protocol are contained in annex I.

2. The Expert Meeting also decided that the Committee on the Elimination of Discrimination against Women should develop a model form for communications submitted under the Optional Protocol, and that the model communications' form prepared by the Human Rights Committee with respect to the First Optional Protocol should be transmitted to the Committee at its twenty-fourth session. The model communications form is contained in annex II.

3. A list of States parties whose reports are more than five years overdue is contained in annex III. A list of States parties whose reports have been submitted but have not yet been considered by the Committee is contained in annex IV, together with the date of the receipt of such reports. Chapter II of the present report provides information on reports to be considered by the Committee at future sessions.

4. Information on efforts by the Special Adviser on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women, Department of Economic and Social Affairs, with regard to universal ratification, timely reporting, acceptance of the amendment to article 20.1 of the Convention and ratification and accession to its Optional Protocol, is included in chapter III. A list of those States parties that have accepted the amendment is contained in annex V, while those States parties that have signed the Optional Protocol to the Convention are listed in annex VI. A list of those States that have not ratified or acceded to the Convention is contained in annex VII. Information is also included on the contribution of treaty bodies to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held from 31 August to 7 September 2001 in Durban, South Africa (see chap. IV).

II. Reports to be considered at future sessions of the Committee

5. At its twenty-third session, the Committee drew up the list of States parties whose reports would be considered at future sessions. The Committee decided that, at its twenty-fifth session, in July 2001, the initial report of Singapore, the second periodic report of Guyana, the second periodic report of the Libyan Arab Jamahiriya, the second periodic report of the Netherlands, the second periodic report

of Viet Nam, the fourth periodic report of Sweden and the fourth and fifth periodic reports of Nicaragua would be considered. While the Libyan Arab Jamahiriya indicated that it would be unable to present its report at the twenty-fifth session, the Netherlands submitted its third periodic report and Sweden indicated that it would present its fifth periodic report. In finalizing the list of States parties to be considered at the twenty-fifth session, the Committee may wish to take account of the fact that the initial reports of Andorra, Fiji and Guinea have been submitted.

6. The Committee decided that, subject to the implementation of suggestion 23/I, which concerns the possibility of convening the twenty-sixth session outside United Nations Headquarters, the initial report of Equatorial Guinea, the combined third and fourth periodic reports of Iceland, the combined third and fourth periodic reports of Sri Lanka, the fourth periodic report of Portugal and the fifth periodic report of the Russian Federation would be considered. The Committee also decided that, in the event one of these States parties should be unable to present its report, it would consider the third and fourth periodic reports of Zambia, the combined fourth and fifth periodic reports of Ukraine, or the fifth periodic report of Denmark. In finalizing the list for the twenty-fifth session and drawing up the lists for future sessions, the Committee may wish to take account of annex IV, which contains a list of those States parties that have submitted reports which have not yet been considered, and provides information on those reports that are available in the languages of the United Nations.

III. Efforts to encourage universal ratification of the Convention, ratification of the Optional Protocol and acceptance of the amendment to article 20.1

7. The Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women have continued efforts to encourage universal ratification of the Convention, ratification of the Optional Protocol and acceptance of the amendment to article 20.1 of the Convention relating to the Committee's meeting time, as well as fulfilment of reporting obligations.

8. Following the twenty-third session of the Committee, the Special Adviser and the Director of the Division for the Advancement of Women met with several delegations to discuss ratification and compliance with reporting obligations. Offers of technical support have been made to countries contemplating ratification, and with regard to reporting obligations. In collaboration with the United Nations Development Programme, the Division for the Advancement of Women conducted a training workshop on the operationalization of the concluding comments of the Committee on the initial report of Cameroon from 25 to 29 September 2000 in Yaoundé. A training workshop on the Convention and its Optional Protocol for countries of the Pacific will be conducted by the Division in New Zealand in February 2001.

IV. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

9. The World Conference will be held in Durban, South Africa, from 31 August to 7 September 2001. In its resolution 1999/78 of 28 April 1999,[1] the Commission on Human Rights, inter alia, invited United Nations bodies and mechanisms dealing with the question of racism, racial discrimination, xenophobia and related intolerance to participate actively in the preparatory process for the World Conference. In its resolution 54/154, the General Assembly also requested human rights mechanisms to assist the Preparatory Committee and to undertake reviews and submit recommendations concerning the World Conference and the preparations therefore to the Preparatory Committee, through the Secretary-General, and to participate actively in the Conference.

10. Contributions to the preparatory process of the World Conference were submitted to the Preparatory Committee for the Conference at its first session, held in Geneva from 1 to 5 May 2000 by the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child.[2] Preliminary contributions were also submitted by the Human Rights Committee and the Committee against Torture. These treaty bodies plan to finalize their contributions for submission to the Preparatory Committee at its second session, which will be held from 21 May to 1 June 2001 in Geneva.

11. The Committee on the Elimination of Discrimination against Women may also wish to prepare a contribution for submission to the second session of the Preparatory Committee. In this regard, it may wish to take into account the report of the Expert Group Meeting on Gender and Racial Discrimination, organized by the Division for the Advancement of Women in collaboration with the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Fund for Women and held in Zagreb from 21 to 24 November 2000.

Notes

[1] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[2] See A/CONF.189/PC.1/12; A/CONF.189/PC.1/14; A/CONF.189/PC.1/15.

Annex I

Proposed draft rules of procedure for the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

I. Procedures for the consideration of communications received under the Optional Protocol

Rule 1
Transmission of communications to the Committee

1. The Secretary-General shall bring to the attention of the Committee, in accordance with the present rules, communications which are, or appear to be, submitted for consideration by the Committee under article 2 of the Optional Protocol.

2. The Secretary-General may request clarification from the author or authors of a communication as to whether they wish to have the communication submitted to the Committee for consideration under the Optional Protocol. Where there is doubt as to the wish of the author or authors, the Secretary-General will bring the communication to the attention of the Committee.

3. No communication shall be received by the Committee if it:

(a) Concerns a State which is not a party to the Protocol;

(b) Is not in writing; or

(c) Is anonymous.

Rule 2
List and register of communications

1. The Secretary-General shall maintain a permanent register of all communications submitted for consideration by the Committee under article 2 of the Optional Protocol.

2. The Secretary-General shall prepare lists of the communications submitted to the Committee, together with a brief summary of their contents.

Rule 3
Request for clarification or additional information

1. The Secretary-General may request clarification from the author of a communication, including:

(a) The name, address, date of birth and occupation of the victim and verification of the victim's identity;

(b) The name of the State party against which the communication is directed;

(c) The objective of the communication;

(d) The facts of the claim;

(e) Steps taken by the author and/or victim to exhaust domestic remedies;

(f) The extent to which the same matter is being or has been examined under another procedure of international investigation or settlement;

(g) The provision or provisions of the Convention alleged to have been violated.

2. When requesting clarification or information, the Secretary-General shall indicate to the author or authors of the communication a time limit within which such information is to be submitted.

3. The Committee may approve a questionnaire to facilitate requests for clarification or information from the victim and/or author of a communication.

4. A request for clarification or information shall not preclude the inclusion of the communication in the list provided for in rule 4 below.

5. The Secretary-General shall inform the author of a communication of the procedure that will be followed and in particular that, provided that the individual or individuals consents to the disclosure of her identity to the State party concerned, the communication will be brought confidentially to the attention of that State party.

Rule 4
Summary of the information

1. A summary of the relevant information obtained with respect to each registered communication shall be prepared and circulated to the members of the Committee by the Secretary-General at the next regular session of the Committee.

2. The full text of any communication brought to the attention of the Committee shall be made available to any member of the Committee upon that member's request.

Rule 5
Inability of a member to take part in the examination of a communication

1. A member of the Committee may not take part in the examination of a communication if:

(a) The member has any personal interest in the case; or

(b) The member has participated in the making of any decision on the case covered by the communication in any capacity other than under the procedures applicable to this Optional Protocol;

(c) The member is a national of the State party concerned.

2. Any question which may arise under paragraph 1 above shall be decided by the Committee without the participation of the member concerned.

Rule 6
Withdrawal of a member

If, for any reason, a member considers that she or he should not take part or continue to take part in the examination of a communication, the member shall inform the Chairperson of her or his withdrawal.

Rule 7
Establishment of working groups and designation of rapporteurs

1. The Committee may establish one or more working groups, each comprising no more than five of its members, and may designate one or more rapporteurs to make recommendations to the Committee and to assist it in any manner in which the Committee may decide.

2. In this part of the Rules, reference to a working group or rapporteur is a reference to a working group or rapporteur established under these rules.

3. The rules of procedure of the Committee shall apply as far as possible to the meetings of its working groups.

Rule 8
Interim measures

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State party concerned, for its urgent consideration, a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim or victims of the alleged violation.

2. A working group or rapporteur may also request that the State party concerned take such interim measures as the working group or rapporteur considers necessary to avoid irreparable damage to the victim or victims of the alleged violation.

3. Where a request for interim measures is made by a working group or rapporteur under this rule, the working group or rapporteur shall forthwith thereafter inform the Committee members of the nature of the request and the communication to which the request relates.

4. Where the Committee, a working group or a rapporteur requests interim measures under this rule, the request shall state that it does not imply a determination of the merits of the communication.

Rule 9
Method of dealing with communications

1. The Committee shall, by simple majority and in accordance with the following rules, decide whether the communication is admissible or inadmissible under the Optional Protocol.

2. A working group may also declare that a communication is admissible under the Optional Protocol, provided that it is composed of five members and all the members so decide.

Rule 10
Order of communications

1. Communications shall be dealt with in the order in which they are received by the Secretariat, unless the Committee or a working group decides otherwise.

2. The Committee may decide to consider two or more communications jointly.

Rule 11
Separate consideration of admissibility and merits

The Committee may decide to consider the question of admissibility of a communication and the merits of a communication separately.

Rule 12
Conditions of admissibility of communications

With a view to reaching a decision on the admissibility of a communication, the Committee, or a working group, shall apply the criteria in articles 2, 3 and 4 of the Optional Protocol.

Rule 13
Authors of communications

1. Communications may be submitted by individuals or groups of individuals who claim to be victims of violations of the rights set forth in the Convention, or by their designated representatives, or by others on behalf of an alleged victim where the alleged victim consents.

2. In cases where the author can justify such action, communications may be submitted on behalf of an alleged victim without her consent.

3. Where an author seeks to submit a communication within paragraph 2 of this Rule, she or he shall provide written reasons justifying such action.

Rule 14
Procedures with regard to communications received

1. As soon as possible after the communication has been received, and provided that the individual or group of individuals consent to the disclosure of their identity to the State party concerned, the Committee, working group, or rapporteur shall bring the communication confidentially to the attention of the State party and shall request that State party to submit a written reply to the communication.

2. Any request within paragraph 1 above shall include a statement indicating that such a request does not imply that any decision has been reached on the question of admissibility of the communication.

3. Within six months after receipt of the Committee's request under this rule, the State party concerned shall submit to the Committee a written explanation or statement that relates to the admissibility of the communication and its merits, as well as to any remedy that may have been provided in the matter.

4. The Committee, working group or rapporteur may request a written explanation or statement that relates only to the admissibility of a communication, but in such cases, the State party may nonetheless submit a written explanation or statement that relates to both the admissibility and merits of a communication, provided that such written explanation or statement is submitted within six months of the Committee's request.

5. A State party that has received a request for a written reply in accordance with paragraph 1 may submit a request in writing that the communication be rejected as inadmissible, setting out the grounds for such inadmissibility, provided that such

request is submitted to the Committee within two months of the request made under paragraph 1.

6. If the State party concerned disputes the contention of the author or authors in accordance with article 4.1 of the Optional Protocol that all available domestic remedies have been exhausted, the State party shall give details of the remedies available to the alleged victim or victims in the particular circumstances of the case.

7. Submission by the State party of a request in accordance with paragraph 5 above shall not affect the period of six months given to the State party to submit its written explanation or statement unless the Committee, working group or rapporteur decides to extend the time for submission for such period as the Committee considers appropriate.

8. The Committee, working group or rapporteur may request the State party or the author of the communication to submit, within fixed time limits, additional written explanations or statements relevant to the issues of the admissibility or merits of a communication.

9. The Committee, working group or rapporteur shall transmit to each party the submissions made by the other party pursuant to this rule and shall afford each party an opportunity to comment on those submissions within fixed time limits.

Rule 15
Inadmissible communications

1. Where the Committee decides that a communication is inadmissible, it shall, as soon as possible, communicate its decision and the reasons for that decision through the Secretary-General to the author of the communication and to the State party concerned.

2. A decision of the Committee declaring a communication inadmissible may be reviewed by the Committee upon receipt of a written request submitted by or on behalf of the author or authors of the communication containing information indicating that the reasons for inadmissibility no longer apply.

3. Any member of the Committee who has participated in the decision regarding admissibility may request that a summary of her or his individual opinion be appended to the Committee's decision declaring a communication inadmissible.

Rule 16
Additional procedures whereby admissibility may be considered separately from the merits

1. Where the issue of admissibility is decided by the Committee or a working group before the State party's written explanations or statements on the merits of the communication are received, that decision and all other relevant information shall be submitted through the Secretary-General to the State party concerned. The author of the communication shall, through the Secretary-General, be informed of the decision.

2. The Committee may revoke its decision that a communication is admissible in the light of any explanation or statements submitted by the State party.

Rule 17
Views of the Committee on admissible communications

1. Where the parties have submitted information relating both to the admissibility and to the merits of a communication, or where a decision on admissibility has already been taken and the parties have submitted information on the merits of that communication, the Committee shall consider and shall formulate its views on the communication in the light of all written information made available to it by the author or authors of the communication and the State party concerned, provided that this information has been transmitted to the other party concerned.

2. The Committee or the working group set up by it to consider a communication may, at any time in the course of the examination, obtain through the Secretary-General any documentation from organizations in the United Nations system or other bodies that may assist in the disposal of the communication, provided that the Committee shall afford each party an opportunity to comment on such documentation or information within fixed time limits.

3. The Committee may refer any communication to a working group to make recommendations to the Committee on the merits of the communication.

4. The Committee shall not decide on the merits of the communication without having considered the applicability of all the admissibility grounds referred to in articles 2, 3 and 4 of the Optional Protocol.

5. The Secretary-General shall transmit the views of the Committee, determined by simple majority, together with any recommendations, to the author or authors of the communication and to the State party concerned.

6. Any member of the Committee who has participated in the decision may request that a summary of her or his individual opinion be appended to the Committee's views.

Rule 18
Follow-up to the Committee's views

1. Within six months of the Committee issuing its views on a communication, the State party concerned shall submit to the Committee a written response, including any information on any action taken in the light of the views and recommendations of the Committee.

2. Following the six-month period referred to in paragraph 1 above, the Committee may invite the State party concerned to submit further information about any measures the State party has taken in response to its views or recommendations.

3. The Committee may request the State party to include information on any action taken in response to its views or recommendations in its subsequent reports under article 18 of the Convention.

4. The Committee shall designate for follow-up on views adopted under article 7 of the Optional Protocol a rapporteur or working group which shall ascertain the measures taken by States parties to give effect to the Committee's views and recommendations.

5. The rapporteur or working group may make such contacts and take such action as may be appropriate for the due performance of her or his functions and shall

make such recommendations for further action by the Committee as may be necessary.

6. The rapporteur or working group shall report to the Committee on follow-up activities on a regular basis.

7. The Committee shall include information on any follow-up activities in its annual report under article 21 of the Convention.

Rule 19
Confidentiality of communications

1. Communications submitted under the Optional Protocol shall be examined by the Committee or working group or rapporteur in closed meetings.

2. All working documents prepared by the Secretariat for the Committee or working group or rapporteur including summaries of communications prepared prior to registration and the list of summaries of communications, shall be confidential unless the Committee decides otherwise.

3. The Committee, working groups or rapporteur shall not make public any communication or submissions or information relating to a communication prior to the date on which its views are issued.

4. The author or authors of a communication or the individuals who are alleged to be the victim or victims of a violation of the rights set forth in the Convention may request that the names and identifying details of the alleged victim or victims (or any of them) not be published.

5. If the Committee, working group or rapporteur so decides, the name or names and identifying details of the author or authors of a communication or the individuals who are alleged to be the victim or victims of a violation of rights set forth in the Convention shall not be made public by the Committee, the author or the State party concerned.

6. The Committee, working group or rapporteur may request the author of a communication or the State party concerned to keep confidential the whole or part of any submissions or information relating to the proceedings.

7. Subject to paragraphs 5 and 6 of this rule, nothing in this rule shall affect the right of the author or authors or the State party concerned to make public any submissions or information bearing on the proceedings.

8. Subject to paragraphs 5 and 6 above, the Committee's decisions on admissibility, merits and discontinuance shall be made public.

9. The Secretariat shall be responsible for the distribution of the Committee's final decisions to the author or authors and the State party concerned.

10. The Committee shall include in its annual report under article 21 of the Convention a summary of the communications examined and, where appropriate, a summary of the explanations and statements of the States parties concerned, and of its own suggestions and recommendations.

11. Unless the Committee decides otherwise, information furnished by the parties in follow-up to the Committee's views and recommendations within article 7.4 and 7.5 of the Optional Protocol shall not be confidential. Unless the Committee decides

otherwise, decisions of the Committee with regard to follow-up activities shall not be confidential.

Rule 20
Communiqués

The Committee may issue communiqués regarding its activities under articles 1 to 7 of the Optional Protocol, through the Secretary-General, for the use of the information media and the general public.

II. Proceedings under the inquiry procedure of the Optional Protocol

Rule 21
Applicability

Rules 22 to 35 shall not be applied to a State party which, in accordance with article 10, paragraph 1, of the Optional Protocol, declared at the time of ratification or accession to the Optional Protocol that it does not recognize the competence of the Committee provided for in article 8, unless that State party has subsequently withdrawn its declaration in accordance with article 10, paragraph 2, of the Optional Protocol.

Rule 22
Transmission of information to the Committee

In accordance with the present rules, the Secretary-General shall bring to the attention of the Committee information which is or appears to be submitted for the Committee's consideration under article 8, paragraph 1, of the Optional Protocol.

Rule 23
Register of information

The Secretary-General shall maintain a permanent register of information brought to the attention of the Committee in accordance with rule 21 and shall make the information available to any member of the Committee upon request.

Rule 24
Summary of the information

The Secretary-General, when necessary, shall prepare and circulate to members of the Committee a brief summary of the information submitted in accordance with rule 21.

Rule 25
Confidentiality

1. Except in compliance with the obligations of the Committee under article 12 of the Optional Protocol, all documents and proceedings of the Committee relating to the conduct of the inquiry under article 8 of the Optional Protocol shall be confidential.

2. Before including a summary of the activities taken under articles 8 or 9 of the Optional Protocol in the annual report made in accordance with article 21 of the Convention and article 12 of the Optional Protocol, the Committee may consult with the State party concerned with respect to the summary.

Rule 26
Meetings relating to proceedings under article 8

Meetings of the Committee during which inquiries under article 8 of the Optional Protocol are considered shall be closed.

Rule 27
Preliminary consideration of information by the Committee

1. The Committee may, through the Secretary-General, ascertain the reliability of the information and/or the sources of the information brought to its attention under article 8 of the Optional Protocol and may obtain additional relevant information substantiating the facts of the situation.

2. The Committee shall determine whether it appears to it that the information received contains reliable information indicating grave or systematic violations of rights set forth in the Convention by the State party concerned.

3. The Committee may request a working group to assist it in its duties under this rule.

Rule 28
Examination of the information

1. If the Committee is satisfied that the information received is reliable and indicates grave or systematic violations of rights set forth in the Convention by the State party concerned, the Committee shall invite the State party, through the Secretary-General, to submit observations with regard to that information within fixed time limits.

2. The Committee shall take into account any observations which may have been submitted by the State party concerned, as well as any other relevant information.

3. The Committee may decide to obtain additional information from the following:

(a) Representatives of the State party concerned;

(b) Governmental organizations;

(c) Non-governmental organizations;

(d) Individuals.

4. The Committee shall decide the form and manner in which such additional information will be obtained.

5. The Committee may, through the Secretary-General, request any relevant documentation from the United Nations system.

Rule 29
Establishment of an inquiry

1. Taking into account any observations that may have been submitted by the State party concerned, as well as other reliable information, the Committee may designate one or more of its members to conduct an inquiry and to make a report within a fixed time limit.

2. An inquiry shall be conducted confidentially and in accordance with any modalities determined by the Committee.

3. Taking into account the Convention, the Optional Protocol and the Committee's rules of procedure, the members designated by the Committee to conduct the inquiry shall determine their own methods of work.

4. During the period of the inquiry, the Committee may defer the consideration of any report that the State party concerned may have submitted pursuant to article 18 of the Convention.

Rule 30
Cooperation of the State party concerned

1. The Committee shall seek the cooperation of the State party concerned at all stages of an inquiry.

2. The Committee may request the State party concerned to nominate a representative to meet with the member or members designated by the Committee.

3. The Committee may request the State party concerned to provide the member or members designated by the Committee with any information that they or the State party may consider relates to the inquiry.

Rule 31
Visits

1. Where the Committee deems it warranted, the inquiry may include a visit to the territory of the State party concerned.

2. Where the Committee decides, as a part of its inquiry, that there should be a visit to the State party concerned, it shall, through the Secretary-General, request the consent of the State party to such a visit.

3. The Committee shall inform the State party concerned of its wishes regarding the timing of the visit and the facilities required to allow those members designated by the Committee to conduct the inquiry to carry out their task.

Rule 32
Hearings

1. With the consent of the State party concerned, visits may include hearings to enable the designated members of the Committee to determine facts or issues relevant to the inquiry.

2. The conditions and guarantees concerning any hearings within paragraph 1 above shall be established by the designated members of the Committee visiting the State party in connection with an inquiry, and the State party concerned.

3. Any person appearing before the designated members of the Committee for the purpose of giving testimony shall make a solemn declaration as to the veracity of her or his testimony and the confidentiality of the procedure.

4. The Committee shall inform the State party that it shall take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to ill-treatment or intimidation as a consequence of participating in any hearings in connection with an inquiry or meeting with the designated members of the Committee conducting the inquiry.

Rule 33
Assistance during an inquiry

1. In addition to the staff and facilities that shall be provided by the Secretary-General in connection with an inquiry, including during a visit to the State party concerned, the designated members of the Committee may, through the Secretary-General, invite interpreters and/or such persons with special competence in the fields covered by the Convention as are deemed necessary by the Committee to provide assistance at all stages of the inquiry.

2. Where such interpreters or other persons of special competence are not bound by the oath of allegiance to the United Nations, they shall be required to declare solemnly that they will perform their duties honestly, faithfully and impartially, and that they will respect the confidentiality of the proceedings.

Rule 34
Transmission of findings, comments or suggestions

1. After examining the findings of the designated members submitted in accordance within rule 29 of the present rules, the Committee shall transmit these findings, through the Secretary-General, to the State party concerned, together with any comments and recommendations.

2. The State party concerned shall submit its observations on these findings, comments and recommendations to the Committee through the Secretary-General within six months of their receipt.

Rule 35
Follow-up action by the State party

1. The Committee may, through the Secretary-General, invite a State party which has been the subject of an inquiry to include details of any measures taken in response to the Committee's findings, comments and recommendations in its report under article 18 of the Convention.

2. The Committee may, after the end of the period of six months referred to in rule 34.2 above, invite the State party concerned, through the Secretary-General, to inform it of any measures taken in response to an inquiry.

Rule 36
Obligations under article 11 of the Optional Protocol

1. The Committee shall bring to the attention of the States parties concerned their obligation under article 11 of the Optional Protocol to take appropriate steps to

ensure that individuals under their jurisdiction are not subjected to ill-treatment or intimidation as a consequence of communicating with the Committee under the Optional Protocol.

2. Where the Committee receives reliable information that a State party has breached its obligations under article 11, it may invite the State party concerned to submit written explanations or statements clarifying the matter and any action it is taking to ensure that its obligations under article 11 are fulfilled.

Annex II

Model communications form of the Human Rights Committee

Date: _____

Communication to:

The Human Rights Committee

c/o Centre for Human Rights
United Nations Office
8-14 avenue de la Paix
1211 Geneva 10, Switzerland

submitted for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights.

I. Information concerning the author of the communication

Name _____ First name(s) _____

Nationality _____ Profession _____

Date and place of birth _____

Present address _____

_____

Address for exchange of confidential correspondence (if other than present address)

_____

_____

Submitting the communication as:

(a) Victim of the violation or violations set forth below ☐

(b) Appointed representative/legal counsel of the alleged victim(s) ☐

(c) Other ☐

If box (c) is marked, the author should explain:

(i) In what capacity he is acting on behalf of the victim(s) (e.g. family relationship or other personal links with the alleged victim(s)): _____

_____

(ii) Why the victim(s) is (are) unable to submit the communication himself (themselves): _____

_____

An unrelated third party having no link to the victim(s) may not submit a communication on his (their) behalf.

II. Information concerning the alleged victim(s) (if other than the author)

Name _____ First name(s) _____

Nationality _____ Profession _____

Date and place of birth _____

Present address or whereabouts _____

_____

III. State concerned/articles violated/domestic remedies

Name of the State party (country) to the International Covenant and the Optional Protocol against which the communication is directed: _____

_____

Articles of the International Covenant on Civil and Political Rights allegedly violated: _____

_____

Steps taken by or on behalf of the alleged victim(s) to exhaust domestic remedies (recourse to the courts or other public authorities), when and with what results (if possible, enclose copies of all relevant judicial or administrative decisions): _____

_____

_____

If domestic remedies have not been exhausted, explain why: _____

_____

IV. Other international procedures

Has the same matter been submitted for examination under another procedure of international investigation or settlement (for example, the Inter-American Commission on Human Rights or the European Commission on Human Rights)? If so, when and with what results? _____

_____

V. Facts of the claim

Detailed description of the facts of the alleged violation or violations (including relevant dates)* _____

_____

Author's signature: _____

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December 2000

* Add as many pages as are needed for this description.

Annex III

States parties whose reports are five years or more overdue for submission to the Committee on the Elimination of Discrimination against Women as of 1 November 2000

A. Initial reports

State party	*Date due*
Albania	10 June 1995
Angola	17 October 1987
Bahamas	5 November 1994
Benin	11 April 1993
Bhutan	30 September 1982
Bosnia and Herzegovina	1 October 1994
Brazil	2 March 1985
Cambodia	14 November 1993
Cape Verde	3 September 1982
Central African Republic	21 July 1992
Congo	25 August 1983
Costa Rica	4 May 1987
Dominica	3 September 1982
Estonia	20 November 1992
Gambia	16 May 1994
Grenada	29 September 1991
Guinea-Bissau	22 September 1986
Haiti	3 September 1982
Kuwait	2 October 1995
Lao People's Democratic Republic	13 September 1982
Latvia	14 May 1993
Liberia	16 August 1985
Malta	7 April 1992
Saint Kitts and Nevis	25 May 1986

State party	*Date due*
Saint Lucia	7 November 1983
Samoa	25 October 1993
Seychelles	4 June 1993
Sierra Leone	11 December 1989
Suriname	31 March 1994
Tajikistan	25 October 1994
The former Yugoslav Republic of Macedonia	17 February 1995
Togo	26 October 1984
Trinidad and Tobago	11 February 1991

B. Second periodic reports

State party	*Date due*
Angola	17 October 1991
Bhutan	30 September 1986
Bolivia	8 July 1995
Brazil	2 March 1989
Cape Verde	3 September 1986
Congo	25 August 1987
Costa Rica	4 May 1991
Dominica	3 September 1986
Gabon	20 February 1988
Grenada	20 September 1995
Guinea	8 September 1987
Guinea-Bissau	22 September 1990
Haiti	3 September 1986
Lao People's Democratic Republic	13 September 1986
Liberia	16 August 1989
Madagascar	16 April 1994
Malawi	11 April 1992

State party	*Date due*
Mali	10 October 1990
Saint Kitts and Nevis	25 May 1990
Saint Lucia	7 November 1987
Sierra Leone	11 December 1993
Togo	26 October 1988
Trinidad and Tobago	11 February 1995

C. Third periodic reports

State party	*Date due*
Angola	17 October 1995
Bhutan	30 September 1990
Brazil	2 March 1993
Cape Verde	3 September 1990
Congo	25 August 1991
Costa Rica	4 May 1995
Cyprus	22 August 1994
Dominica	3 September 1990
El Salvador	18 September 1990
Gabon	20 February 1992
Ghana	1 February 1995
Guatemala	11 September 1991
Guinea	8 September 1991
Guinea-Bissau	22 September 1994
Guyana	3 September 1990
Haiti	3 September 1990
Lao People's Democratic Republic	13 September 1990
Liberia	16 August 1993
Mali	10 October 1994
Mauritius	8 August 1993

State party	*Date due*
Saint Kitts and Nevis	25 May 1994
Saint Lucia	7 November 1991
Senegal	7 March 1994
Togo	26 October 1992

D. Fourth periodic reports

State party	*Date due*
Barbados	3 September 1995
Belarus	3 September 1994
Bhutan	30 September 1994
Bulgaria	10 March 1995
Cape Verde	3 September 1994
Congo	25 August 1995
Dominica	3 September 1994
Ecuador	9 December 1994
El Salvador	18 September 1994
Ethiopia	10 October 1994
Guatemala	11 September 1995
Guinea	8 September 1995
Guyana	3 September 1994
Haiti	3 September 1994
Lao People's Democratic Republic	13 September 1994
Panama	28 November 1994
Poland	3 September 1994
Rwanda	3 September 1994
Saint Vincent and the Grenadines	3 September 1994
Uruguay	8 November 1994
Yugoslavia	28 March 1995

Annex IV

States parties whose reports have been submitted but have not yet been considered by the Committee

State party	Date due	Date received	Document symbol
A. Initial reports			
Andorra	14 February 1998	23 June 2000	CEDAW/C/AND/1
Fiji	27 September 1996	29 February 2000	CEDAW/C/FIJ/1
Guinea	8 September 1983	4 August 2000	CEDAW/C/GIN/1
Singapore[a b]	4 November 1996	30 November 1999	CEDAW/C/SGP/1
B. Second periodic reports			
Armenia[b]	13 October 1998	23 August 1999	CEDAW/C/ARM/2
Equatorial Guinea[b]	22 November 1989	6 January 1994	CEDAW/C/GNQ/2-3
Guyana[a b]	3 September 1986	20 September 1999	CEDAW/C/GUY/2
Libyan Arab Jamahiriya[b]	15 June 1990	18 February 1999	CEDAW/C/LBY/2
Netherlands[a b]	22 August 1996	10 December 1998	CEDAW/C/NET/2/Add.1 and 2
Slovenia[b]	5 August 1997	26 April 1999	CEDAW/C/SVN/2
Uruguay	8 November 1986	8 February 1998	CEDAW/C/URY/2-3
Viet Nam[a b]	19 March 1987	2 February 1999	CEDAW/C/VNM/2
C. Third periodic reports			
Belgium[b]	9 August 1994	29 October 1998	CEDAW/C/BEL/3-4
Equatorial Guinea[b]	22 November 1993	6 January 1994	CEDAW/C/GNQ/2-3
France[b]	13 January 1993	5 October 1999	CEDAW/C/FRA/3
Iceland[b]	3 July 1994	15 July 1998	CEDAW/C/ICE/3-4
Kenya	8 April 1993	5 January 2000	CEDAW/C/KEN/3-4
Netherlands	22 August 2000	13 November 2000	CEDAW/C/NET/3
		8 November 2000	CEDAW/C/NET/3/Add.1 (Aruba)
		8 November 2000	CEDAW/C/NET/3/Add.2 (Antilles)
Sri Lanka	4 November 1990	7 October 1999	CEDAW/C/LKA/3-4
Tunisia	20 October 1994	1 June 2000	CEDAW/C/TUN/3-4
Uganda	21 August 1994	22 May 2000	CEDAW/C/UGA/3
Uruguay	8 November 1990	3 February 1998	CEDAW/C/URY/2-3
Viet Nam[a b]	19 March 1991	6 October 2000	CEDAW/C/VNM/3-4
Yugoslavia[b]	28 March 1991	14 October 1998	CEDAW/C/YUG/3
Zambia[b]	21 July 1994	12 August 1999	CEDAW/C/ZAM/3-4
D. Fourth periodic reports			
Argentina	14 August 1998	18 January 2000	CEDAW/C/ARG/4
Barbados	3 September 1995	14 November 2000	CEDAW/C/BAR/4
Belgium[b]	9 August 1994	29 October 1998	CEDAW/C/BEL/3-4
Denmark[b]	21 May 1996	9 January 1997	CEDAW/C/DEN/4
Hungary	3 September 1994	19 September 2000	CEDAW/C/HUN/4-5

State party	*Date due*	*Date received*	*Document symbol*
Iceland[b]	3 July 1998	15 July 1998	CEDAW/C/ICE/3-4
Japan[b]	25 July 1998	24 July 1998	CEDAW/C/JPN/4
Kenya	8 April 1997	5 January 2000	CEDAW/C/KEN/3-4
Nicaragua[a]	26 November 1994	16 June 1998	CEDAW/C/NIC/4
Portugal[b]	3 September 1994	25 October 1999	CEDAW/C/PRT/4
Sri Lanka	4 November 1994	7 October 1999	CEDAW/C/LKA/3-4
Sweden[a b]	3 September 1994	21 May 1996	CEDAW/C/SWE/4
Tunisia	20 October 1998	1 June 2000	CEDAW/C/TUN/3-4
Ukraine[b]	3 September 1994	2 August 1999	CEDAW/C/UKR/4-5
Viet Nam[a]	19 March 1995	6 October 2000	CEDAW/C/VNM/3-4
Yemen	29 June 1997	8 March 2000	CEDAW/C/YEM/4
Zambia[b]	21 July 1998	12 August 1999	CEDAW/C/ZAM/3-4
E. Fifth periodic reports			
Denmark	21 May 2000	13 June 2000	CEDAW/C/DEN/5
Hungary	3 September 1998	19 September 2000	CEDAW/C/HUN/4-5
Mexico	3 September 1998	29 November 2000	CEDAW/C/MEX/5
Nicaragua[a]	26 November 1998	2 September 1999	CEDAW/C/NIC/5
Norway	3 September 1998	23 March 2000	CEDAW/C/NOR/5
Peru	13 October 1999	21 July 2000	CEDAW/C/PER/5
Russian Federation[b]	3 September 1998	3 March 1999	CEDAW/C/USR/5
Ukraine[b]	30 September 1998	2 August 1999	CEDAW/C/UKR/4-5

[a] Reports to be considered by the Committee at its twenty-fifth session, to be held in New York in July 2001.
[b] Reports that have been translated, reproduced and made available in all official languages.

Annex V

States parties that have deposited with the Secretary-General instruments of acceptance of the amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women

State party	*Acceptance date*
Australia	4 June 1998
Austria	11 September 2000
Brazil	5 March 1997
Canada	3 November 1997
Chile	8 May 1998
Denmark	12 March 1996
Finland	18 March 1996
France	8 August 1997
Guatemala	3 June 1999
Italy	31 May 1996
Liechtenstein	15 April 1997
Madagascar	19 July 1996
Malta	5 March 1997
Mexico	16 September 1996
Mongolia	19 December 1997
Netherlands	10 December 1997[a]
New Zealand	26 September 1996
Norway	29 March 1996
Panama	5 November 1996
Republic of Korea	12 August 1996
Sweden	17 July 1996
Switzerland	2 December 1997
Turkey	9 December 1999
United Kingdom of Great Britain and Northern Ireland	19 November 1997[b]

[a] For the Kingdom in Europe, the Netherlands Antilles and Aruba.

[b] For the United Kingdom of Great Britain and Northern Ireland, the Isle of Man, the British Virgin Islands and the Turks and Caicos Islands.

Annex VI

States parties that have signed, ratified or acceded to the Optional Protocol as at 8 December 2000

State party	*Date signed*	*Ratification, accession*
1. Argentina	28 February 2000	
2. Austria	10 December 1999	6 September 2000
3. Azerbaijan	6 June 2000	
4. Bangladesh	6 September 2000	6 September 2000
5. Belgium	10 December 1999	
6. Benin	25 May 2000	
7. Bolivia	10 December 1999	27 September 2000
8. Bosnia and Herzegovina	7 September 2000	
9. Bulgaria	6 June 2000	
10. Chile	10 December 1999	
11. Colombia	10 December 1999	
12. Costa Rica	10 December 1999	
13. Croatia	5 June 2000	
14. Cuba	17 March 2000	
15. Czech Republic	10 December 1999	
16. Denmark	10 December 1999	31 May 2000
17. Dominican Republic	14 March 2000	
18. Ecuador	10 December 1999	
19. Finland	10 December 1999	
20. France	10 December 1999	9 June 2000
21. Germany	10 December 1999	
22. Ghana	24 February 2000	
23. Greece	10 December 1999	
24. Guatemala	7 September 2000	
25. Guinea-Bissau	12 September 2000	
26. Iceland	10 December 1999	

State party	*Date signed*	*Ratification, accession*
27. Indonesia	28 February 2000	
28. Ireland	7 September 2000	7 September 2000
29. Italy	10 December 1999	22 September 2000
30. Kazakhstan	6 September 2000	
31. Lesotho	6 September 2000	
32. Liechtenstein	10 December 1999	
33. Lithuania	8 September 2000	
34. Luxembourg	10 December 1999	
35. Madagascar	7 September 2000	
36. Malawi	7 September 2000	
37. Mexico	10 December 1999	
38. Mongolia	7 September 2000	
39. Namibia	19 May 2000	26 May 2000
40. Netherlands	10 December 1999	
41. New Zealand	7 September 2000	7 September 2000[a]
42. Nigeria	8 September 2000	
43. Norway	10 December 1999	
44. Panama	9 June 2000	
45. Paraguay	28 December 1999	
46. Philippines	21 March 2000	
47. Portugal	16 February 2000	
48. Romania	6 September 2000	
49. Sao Tome and Principe	6 September 2000	
50. Senegal	10 December 1999	26 May 2000
51. Sierra Leone	8 September 2000	
52. Slovakia	5 June 2000	17 November 2000
53. Slovenia	10 December 1999	
54. Spain	14 March 2000	
55. Sweden	10 December 1999	

State party	*Date signed*	*Ratification, accession*
56. Tajikistan	7 September 2000	
57. Thailand	14 June 2000	14 June 2000
58. The former Yugoslav Republic of Macedonia	3 April 2000	
59. Turkey	8 September 2000	
60. Ukraine	7 September 2000	
61. Uruguay	9 May 2000	
62. Venezuela	17 March 2000	

Declarations and reservations[b]

Bangladesh

Declaration:

> "The Government of the People's Republic of Bangladesh declares in accordance with Article 10 (1) thereof, that it would not undertake the obligations arising out of Articles 8 and 9 of the said Optional Protocol."

Belgium

Upon signature:

Declaration:

The Flemish, French and German-speaking communities of Belgium are equally bound by this signature.

Cuba

Upon signature:

Declaration:

The Government of the Republic of Cuba declares that it does not recognize the competence of the committee established by virtue of articles 8 and 9 of the Protocol.

Notes

[a] With a declaration to the effect that "consistent with the constitutional status of Tokelau and taking into account its commitment to the development of self-government through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the depositary on the basis of appropriate consultation with that territory".

[b] Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.

Annex VII

States that have not ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women

Africa

- Mauritania
- Sao Tome and Principe
- Somalia
- Sudan
- Swaziland

Asia and the Pacific

- Afghanistan
- Bahrain
- Brunei Darussalam
- Democratic People's Republic of Korea
- Iran (Islamic Republic of)
- Kiribati
- Marshall Islands
- Micronesia (Federated States of)
- Nauru
- Oman
- Palau
- Qatar
- Solomon Islands
- Syrian Arab Republic
- Tonga
- United Arab Emirates
- Vanuatu

Western European and Other

- Monaco
- San Marino
- United States of America
- Holy See